

# ***EXHIBIT E***

From: Eugene Egdorf <Gene.Egdorf@LanierLawFirm.com>  
Subject: EA Litigation  
Date: September 24, 2013 1:46:06 PM EDT  
To: Steve Berman <steve@hbsslaw.com>  
Cc: Robert Carey <rob@hbsslaw.com>, Timothy McIlwain <attorneymcilwain@me.com>

Steve,

I am writing to confirm what I understand our agreement to be regarding the current proposal from Randy Wulffe to settle the EA litigation (Hart, Keller, and O'Bannon). Please confirm your agreement, or of course advise of any changes.

1. We agree to work together in the submission of applications for fees and expenses;
2. We agree to support each other concerning the substance and merits of our fee submissions;
3. We agree to support each other and collectively, as appropriate, contest any applications for fees and expenses from other firms;
4. For any fee award or agreement to our firms (Hagens Berman, The Lanier Law Firm, and Tim McIlwain), we agree to consider those as a joint award which will be pooled together for our collective group;
5. From that joint award to our collective group, irrespective of the methodology, substance and distribution ordered by the Court, we agree that 60% of such fees will be paid to Hagens Berman, and the remaining 40% to Lanier and McIlwain;;
6. Each of the firms can submit a request for recovery of their reasonable expenses, and we will support each other in that regard;
7. Lanier and McIlwain will be added as counsel to the Keller case against the NCAA; the above agreement concerning the distribution of fees on a 60/40 basis will NOT apply to that relationship, which will instead be governed by either a future separate agreement or by Court Order.

Gene

-----Original Message-----

From: Steve Berman [<mailto:Steve@hbsslw.c>]

Sent: Tuesday, September 24, 2013 1:22 PM

To: Eugene Egdorf

Cc: Robert Carey; 'Timothy Mcilwain'

Subject: RE: EA Litigation

This is agreed

Steve Berman | Hagens Berman Sobol Shapiro |  
| Direct: (206) 268-9320